

**Survey of Cities in Santa Clara County
Undergrounding of Utilities Requirements**

	Governing Code/Initiating Act	In-lieu fee allowed?	How is in-lieu fee calculated and collected?	Can req'ts be waived? If so, what are criteria?
Campbell	Zoning Ordinance- Site Development Standards	Not done for utilities	N/A	Yes. The CDD Director can waive if unreasonable or impractical for reasons of cost, if other overhead utilities exist and the likelihood of other UG utilities in area
Cupertino	Zoning Ordinance- all new development. Subdivision Ordinance- new subdivisions and condo conversions	Yes, for subdivisions at PC's discretion.	Fee determined by City Engineer. It is 1/2 of normal cost of UG'ing existing utilities on residential streets. Condition of TM. Fees deposited in special UG account	Yes. If exceptional or extraordinary topography, soils conditions exist. Also if new developed area adjoins previously developed areas on three sides
Los Gatos	Municipal Code- any new development or remodel. Subdivisions- new subdivisions	If utilities have already been undergrounded by Town, applicant needs to reimburse Town of their share	Right-of-way and street improvement costs calculated in ordinance	Can be waived
Milpitas	Zoning Code- required in R3, R4, M1, Mp and MXD zones. Subdivision Code- all utilities required to be placed underground.	It has been used in the new Mid-Town Specific Plan area where there are small lots with limited street frontage	In those cases in Mid-Town, the fee has generally been \$450/linear foot	In subdivision Code there are exceptions. City Council can waive if topography, soil or other conditions make UG unreasonable or impractical

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Mountain View	Subdivision Ordinance only	No	N/A	If City finds that the topography, soils or other conditions make UG unreasonable or impracticable
Palo Alto	UG Utility chapter to Code- all new construction. Subdivision Code- all utilities required to be placed underground.	Allowed, but not often used. Palo Alto has it's own electric utility, so their criteria may vary from those working with PG&E	Fee based on a case-by-case basis	Director of Utilities can ok overhead utilities where UG is not feasible or practicable
San Jose	Subdivision section of Code	Yes. UG fee program for new development used for conversion of overhead utility facilities.	Based on amount per linear foot of frontage- on percent basis. Paid prior to recording of Final Map or issuance of Building Permit	Yes. Can be exempt from fee if site is adjacent to an UG utility district established prior to 7/1/88, for minor projects or if found to be unreasonable or impractical due to topography or soils
Santa Clara	Subdivision section of Code	Yes, if in UG Utility District. Santa Clara has it's own electric utility, so their criteria may vary from those working with PG&E	Case-by-case	Handled on a case-by-case basis. Not in ordinance